

January 10, 2001

**TO:** Mayor and City Council

**FROM:** John Lettelleir, AICP, Director of Planning

**SUBJECT:** Results of the Planning & Zoning Meeting January 9, 2001

**The following item is scheduled for the February 6, 2001 City Council Meeting**

**Public Hearing:** Zoning Case Z2000-59  
**Applicant(s):** Stewart Armstrong and Binary Inv., Inc.

**DESCRIPTION:**

A request to rezone 60.0± acres on the north side of Panther Creek Parkway (C.R. 23), 1,350± feet west of future Hillcrest Road from Agricultural to Planned Development-Patio Home/Single-Family-5. Neighborhood #9. Tabled 11/1/00, 11/14/00, and 12/27/00.

**APPROVED:** 4-2 **DENIED:** \_\_\_\_\_ **TABLED:** \_\_\_\_\_

Commissioners Caplan voted in opposition because he did not like taking the Agricultural zoned property to Single-Family-5. Commissioner Siefert voted in opposition because the applicant was not providing diversity in lot sizes.

**RECOMMENDATION:**

Recommended for approval subject to City Council approval of the concept plan for The Woods on Panther Creek and subject to the following planned development standards:

Planned Development-Single-Family Residential District-5 (SF-5)

This tract may be developed under the regulations of the Single-Family Residential-5 (SF-5) district as outlined in Ordinance No. 00-11-01 as it currently exists or may be amended, subject to the following additional conditions:

1. Minimum Lot Area – Seven thousand (7,000) square feet.
2. Minimum Lot Width – Sixty feet (60'). Lot width may be reduced to fifty feet (50') on cul-de-sacs and "eyebrows".
3. Minimum Lot Depth – One hundred feet (100').

4. Perimeter Treatment – Alleys may be eliminated along the property perimeter subject to City Engineer approval. If alleys are not provided, then homes located along the street will provide three (3) three-inch (3") caliper trees per lot with one of the trees being planted within the parkway. The right-of-way will be increased to sixty feet (60') to accommodate the tree (the roadway width shall remain 31' B-B within this 60' right-of-way) and the sidewalk will be placed inside the property line in a sidewalk easement (if necessary as determined by the City Engineer).

#### Planned Development-Single-Family Residential District-4 (SF-4)

This tract may be developed under the regulations of the Single-Family Residential-5 (SF-5) district as outlined in Ordinance No. 00-11-01 as it currently exists or may be amended, subject to the following additional conditions:

1. Minimum Lot Area – Eight thousand five hundred (8,500) square feet.
2. Minimum Lot Width – Seventy (70') feet. Lot width may be reduced to sixty feet (60') on cul-de-sacs and "eyebrows".
3. Minimum Lot Depth – One hundred (100') feet.
4. Perimeter Treatment – Alleys may be eliminated along the property perimeter subject to City Engineer approval. If alleys are not provided, then homes located along the street will provide four (4) three-inch (3") caliper trees per lot with one of the trees being planted within the parkway. The right-of-way will be increased to sixty feet (60') to accommodate the trees (the roadway width shall remain 31' B-B within this 60' right-of-way) and the sidewalk will be placed inside the property line in a sidewalk easement (if necessary as determined by the City Engineer).

#### General Conditions

1. Landscape Buffer – An additional twenty-five (25') feet shall be dedicated as right-of-way for landscape purposes along the Panther Creek Parkway frontage to create a soft screening effect with a dynamic combination of elements with differing material and heights. A meandering four-foot (4') wide sidewalk shall be installed in this 25 foot area and/or in the thoroughfare right-of-way. This area shall be maintained by the Homeowners Association.
2. Fence Treatment – Along rear and side yard lot lines adjacent to the open space areas, a decorative metal fence shall be required with a minimum of four (4) feet in height.
3. Maximum Density – Density of the property shall not exceed 2.94 dwelling units per acre.

4. Homeowners Association - In accordance with the Subdivision Ordinance, a Homeowners' Association (HOA) shall be established to maintain open space, recreational areas, and other commonly owned facilities. Prior to approval of a final plat, a document establishing the HOA shall be submitted to the City for review and approval by the City Attorney for conformance with this and other applicable ordinances. The Developer will be financially responsible for the City Attorney review process.
5. The developer of this property, or portion thereof, shall submit a flood study prior for City approval prior to any development.
6. The developer of this property, or portion thereof, shall maintain access at all times to all adjacent properties using C.R. 23 (Future Panther Creek Parkway).

DM/sg

cc: Stewart Armstrong 210-822-4882  
Karen Porter 214-638-0447  
Frank Jaromin  
Donnie Mayfield  
Mack Borchardt

**Agenda No.:** 8A

**Public Hearing:** Zoning Case Z2000-59

**Applicant(s):** Stewart Armstrong and Binary Inv., Inc.

**Description:**

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**Remarks:**

This item was tabled at the December 27, 2000, Planning & Zoning Commission meeting to allow the applicant to lower the density of an associated zoning case, Z2000-58 (The Creeks on Hillcrest). This item must be removed from the table.

The applicant is requesting to rezone 60.0± acres from Agricultural as follows:

<b>Original Request</b>	PD-Patio Home (51.0± acres) / Single-Family-5 (9.0± acres)
<b>Modified Request</b>	PD-Single-Family-5 (51.0± acres)/Single-Family-4 (9.0± acres)

In modifying the request, the applicant has reduced the permitted density from 3.4 units/acre to 3.0 units/acre.

The proposed planned development standards are:

Planned Development-Single-Family Residential District-5 (SF-5)

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2. Fence Treatment – Along rear and side yard lot lines adjacent to the open space areas, a masonry or decorative metal fence shall be required with a minimum of four (4) feet in height.
3. Maximum Density – Density of the property shall not exceed 3.0 dwelling units per acre.

Zoning and land use of the surrounding properties are as follows:

Direction	Land Use	Zoning	Comprehensive Plan
North	Undeveloped	Not Zoned – Outside of City Limits	Single-Family Residential
East	Undeveloped	Not Zoned – Outside of City Limits	Single-Family Residential
South	Undeveloped	Planned Development-2	Single-Family Residential
West	Undeveloped	Single-Family-4	Single-Family Residential

#### Conformance to the Comprehensive Plan

**Future Land Use Plan** -- The Future Land Use Plan designates Single-Family Residential for this property. The request complies with the Future Land Use Plan.

**Thoroughfare Plan** -- The Thoroughfare Plan shows Panther Creek Parkway, a six-lane divided thoroughfare, bordering the property. The zoning exhibit shows future right-of-way for Panther Creek Parkway. The Thoroughfare Plan shows a collector street extending north from Panther Creek Parkway between Preston Road and Hillcrest Road. Collector streets are typically located equidistant between major thoroughfares. The presence of flood plain along Panther Creek Parkway between Preston Road and Hillcrest Road will cause the collector street to be located closer to Preston Road than Hillcrest Road. Rather than providing an offset in a collector street on the north and south sides of Panther Creek Parkway, a collector will be located on a property to the west of this property. Offsets in collector streets at the intersection of a major thoroughfare are not desired. Signal lights will generally be installed at the intersections of collector streets and major thoroughfares. An offset would require two signal lights rather than one, doubling the cost of traffic signalization.

**Environmental Considerations** -- The City's environmental analyses contained within the Comprehensive Plan identify floodplain, slopes, soils, and sensitive habitats which are unsuitable for development in the vicinity of the property. Unsuitable slopes and soils can generally be overcome with sound engineering practices. Open space is being preserved in accordance with recommendations of the Comprehensive Plan.

**Access** -- Two points of access will be provided to the property from Panther Creek Parkway. The development of this property will require that area thoroughfares be improved to City standards to provide two points of access to the property. Streets are also stubbed to adjacent properties to provide circulation between this property and future residential developments.

**Water and Sanitary Sewer Services** -- Water and sanitary sewer services must be extended to the property from their current locations near the intersection of Eldorado Parkway and Preston Road.

**Schools** - This property is located in the Prosper Independent School District. Two meetings have been scheduled between staff and the superintendent of the Prosper Independent School District. Both meetings were canceled by the superintendent. Staff will schedule a meeting in the near future with the superintendent to discuss the proposed development in this area and its impact on the school district. Development of this property alone will not likely warrant the construction of a school on the property or in the near proximity. A sufficient number of homes must be constructed in the area to justify the construction of a school in the Frisco portion of the Prosper Independent School District.

**Parks** - A regional park is planned on the south side of Panther Creek Parkway, east of Hillcrest Road. Several neighborhood parks are planned within Hillcrest Park, a residential subdivision on the south side of Panther Creek Parkway. Property will be needed for the development of a neighborhood park on the north side of Panther Creek Parkway in this area.

**Planned Development Zoning** -- The Comprehensive Plan recommends that the City should be extremely judicious in the consideration and approval of planned developments. Planned Development should generally be used to achieve the following:

- Preserve topography, vegetation and/or open space

Rather than attempting to reclaim flood plain which is not currently suitable for development, the applicant is providing open space to preserve the existing topography and vegetation. In addition, the applicant is proposing to eliminate alleys along the perimeter of the property to save existing tree lines. The tree lines are clouded on the zoning exhibit. A general tree survey showing trees of 20 caliper inches and greater will

be provided with the preliminary plat and the detailed tree survey showing trees of 8 caliper inches and greater will be provided with the final plat.

- Carry out specific goals of the Comprehensive Plan or other special studies

The Comprehensive Plan suggests that the City consider preserving open space in a development by allowing higher densities on the developed portions. Open space is being provided while maintaining a density of 3.0 dwelling units per acre.

- Provide flexible development standards when appropriate, not to reduce development standards

Modified development standards are being proposed by the applicant, including provisions to dedicate 25 feet of additional right-of-way adjacent to Panther Creek Parkway for landscaping and screening purposes and to construct decorative metal fences along side and rear yards adjacent to open space.

## **CONCERNS:**

### Density

At their September 14, joint work session with the Planning & Zoning Commission, the City Council instituted a policy requiring new residential cases to contain a mix of lower density single-family districts. The applicant initiated discussions with staff regarding the zoning of this property prior to the formulation of this policy. Staff encouraged the applicant to request a density of 3.4 dwelling units per acre or less, based on the City Council's previous policy on density.

The potential density of the zoning with right-of-way for major thoroughfares excluded equates to the following units/acres:

Single-Family-4	8.8± acres	X	3.38 d.u./acre	=	30 units
Single-Family-5	49.0± acres	X	4.11 d.u./acre	=	201 units
Total	57.8± acres				231 units

The 231 total units on 57.8± acres equates to a potential density of 4.0 units/acre. The applicant is now proposing a maximum density of 3.0 units/acre.

## **Recommendation:**

Recommended for approval subject to City Council approval of the concept plan for The Woods on Panther Creek and subject to the following planned development standards:

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